IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2497 OF 2003
IN
SUMMARY SUIT NO.888 OF 2002

Nilesh H. Vakilan HUF ....Plaintiff
V/s.
M/s.Zap Infotech ....Defendants

Mr.A.B. Salunke i/b M/s.S. Ashwinikudmar & Co. for the Plaintiff.
None for the Defendants.

CORAM : S.J. VAZIFDAR, J.
DATED : 17TH NOVEMBER, 2005.

P.C. :

1. The suit is filed to recover a sum of about Rs.7,50,000/-. This Notice of Motion is for attachment before judgment. It is true that the Plaintiffs have not specified the source of knowledge regarding the attempt on the part of the Defendants to alienate their properties with a view to defeat a decree which they may obtain. However the Plaintiffs have stated that the Defendants are likely to sell a property being 145, Arvind Villa, S.V. Road, Vile Parle (East), Mumbai with a view to obstruct and/or delay the execution of the decree that may be passed. There is no affidavit in reply.

2. In the circumstances, the ends of justice would be met by granting an injunction restraining the Defendants from alienating and/or encumbering in any manner the said property.

3. In the circumstances, the Notice of Motion is made absolute in terms of prayer (c).

4. The Notice of Motion is accordingly disposed of.